

**Proposed Substitute
Bill No. 6730**

LCO No. 4333

**AN ACT CONCERNING THE ENFORCEMENT OF STAGE I VAPOR
RECOVERY RESTRICTIONS AND SULFUR CONTENT
REQUIREMENTS FOR DISTILLATE FUELS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-174e of the general statutes is amended by
2 adding subsection (e) as follows (*Effective July 1, 2015*):

3 (NEW) (e) (1) If the Commissioner of Energy and Environmental
4 Protection determines that (A) the owner or operator of any gasoline
5 dispensing facility with a stage I vapor recovery system failed to
6 perform the annual pressure decay test of such vapor recovery system,
7 as prescribed in subsection (d) of this section, or (B) a stage I vapor
8 recovery system is not operating in accordance with regulations
9 adopted pursuant to this section, the Commissioner of Energy and
10 Environmental Protection may prevent the use of such system by
11 placing a disabling device onto the dispenser of a gasoline dispensing
12 facility, provided the commissioner shall give the owner or operator of
13 any gasoline dispensing facility with a stage I vapor recovery system
14 that is not operating in accordance with regulations adopted pursuant
15 to this section forty-eight hours' notice prior to placing such disabling
16 device onto the dispenser of a gasoline dispensing facility. Except for
17 the purpose of fully correcting any such violation, as described in

18 subdivision (3) of this subsection, no person or municipality shall
19 remove, alter, deface or tamper with any disabling device placed onto
20 the dispenser of a gasoline dispensing facility by the commissioner
21 pursuant to this subdivision.

22 (2) Not later than two business days after placing a disabling device
23 onto the dispenser of a gasoline dispensing facility pursuant to
24 subdivision (1) of this subsection, the commissioner shall provide the
25 owner or operator of the affected gasoline dispensing facility with an
26 opportunity for a hearing. Any such hearing shall be limited to a
27 determination of whether any of the violations for which the
28 commissioner took action pursuant to subdivision (1) of this
29 subsection occurred and whether any such violation is continuing.

30 (3) A gasoline dispensing facility's dispenser upon which a
31 disabling device is placed pursuant to subdivision (1) of this
32 subsection shall not be put back into service and shall not be used for
33 dispensing gasoline until each of the violations that caused the
34 disabling device to be placed upon such dispenser is fully corrected to
35 the satisfaction of the commissioner. Not later than twenty-four hours
36 after receipt of notification by the owner or operator of such gasoline
37 dispensing facility that each violation was fully corrected, the
38 commissioner shall determine whether each such violation was fully
39 corrected.

40 (4) The owner or operator of a gasoline dispensing facility with a
41 violation described in subdivision (1) of this subsection may return
42 such system to service if the commissioner determines that each
43 violation was fully corrected or the owner or operator provides the
44 commissioner with a written affidavit, as described in subdivision (5)
45 of this subsection. The commissioner shall review the corrective
46 actions specified in such affidavit on the day such system is returned
47 to service or the next business day, in the event such day is a Saturday,
48 Sunday or legal holiday.

49 (5) Any affidavit submitted to the commissioner pursuant to

50 subdivision (4) of this subsection shall fully describe all actions taken
51 to fully correct each of the violations that caused a disabling device to
52 be placed upon such system by the commissioner and shall certify that
53 each such violation was fully corrected before such system was
54 returned to service.

55 Sec. 2. Section 16a-21a of the general statutes is amended by adding
56 subsection (c) as follows (*Effective July 1, 2015*):

57 (NEW) (c) The Commissioner of Energy and Environmental
58 Protection may enforce the provisions of subsection (a) and (b) of this
59 section utilizing the methodologies and standards specified in section
60 22a-174-19b of the regulations of Connecticut state agencies.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	22a-174e
Sec. 2	<i>July 1, 2015</i>	16a-21a